



Department of Justice

June 1, 1993

**SUMMARY OF ANTITRUST ENFORCEMENT ACTIONS
FOR PUBLIC RELEASE
FOR MONDAY, MAY 24, 1993 THROUGH FRIDAY, MAY 28, 1993**

5/24/93 Department of Justice Issues Business Review Letter

In a letter from John W. Clark, Acting Assistant Attorney General in charge of the Antitrust Division, to Andrew W. Maron, counsel for the Fishermen's Marketing Association, Inc. ("FMA"), the Department announced that it declined to state that it would not challenge under the antitrust laws the implementation of a proposal, submitted by the FMA, to extend membership in FMA to Canadian owners and captains of Canadian trawling vessels that catch seafood in Canadian waters and deliver that seafood to processors located in the United States. The FMA is a non-profit corporation organized under the Fishermen's Collective Marketing Act ("FCMA"). Membership in the FMA is limited to persons involved in trawl fishing in waters adjacent to the United States' Pacific Coast. It currently has 600 members operating over 200 vessels. The principal function of the FMA is to negotiate with processors of trawl-caught seafood for the minimum price per pound that these processors will pay FMA members for such seafood. Clark stated that under the FCMA, there is a limited antitrust exemption available to those fish marketing associations whose members catch seafood in waters within the United States' jurisdiction, but would not be available to an association whose members extend to Canadian fishermen catching seafood within waters subject to Canadian jurisdiction. According to Clark, "Antitrust exemptions are construed narrowly. If the FMA extends membership to Canadian fishermen who catch their seafood in waters subject to Canadian jurisdiction, it will lose its exemption from the antitrust laws."

(MORE)

5/26/93

U.S. v. Brothers Forestry, Inc.

Criminal No.: CR-93-124-FVS (E.D. Wash.)

U.S. v. Contract Services Corporation Northwest

Criminal No.: CR-93-125-FVS (E.D. Wash.)

Two one-count informations were filed in U.S. District Court in Spokane, Washington, charging Brothers Forestry, Inc. (Brothers) and Contract Services Corporation Northwest (CSCN), both of Twisp, Washington, with conspiring to defraud, 18 U.S.C. § 371, the United States by impeding, impairing, obstructing and defeating the lawful function of the bidding system used by the United States Forestry Service (USFS) on contracts for timber stand improvement and tree planting services to be performed on various ranger districts of national forests located in the Eastern District of Washington and elsewhere. The informations charged Brothers and CSCN with devising a scheme to: (1) deceive the USFS into believing that certain forestry services contractors, using the services of CSCN, were independent of one another and were determining and submitting their own bids to the USFS; and (2) circumvent an order debaring an individual from participating in or bidding on forestry services solicitations.

Copies of legal filings are available from the Legal Procedure Unit, Antitrust Division, Room 3233, Telephone No.: 514-2481.

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